

HON. RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CRYSTAL HOWERY,

Plaintiff,

v.

INTERNATIONAL ASSOCIATION OF  
MACHINISTS AND AEROSPACE  
WORKERS,

Defendant.

No. 14-cv-01814 RAJ

**DECLARATION OF EMERSON  
HAMILTON IN SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT**

I, Emerson Hamilton, declare and state as follows:

1. I am a Business Representative and the Grievance Coordinator for the International Association of Machinists and Aerospace Workers, District Lodge 751 ("Union").

2. Under the Union's grievance procedure, Business Representatives are responsible for the initial evaluation and investigation of grievances. The Business Representatives are also responsible for discussing the grievances with the Company and trying to negotiate a resolution. The Business Representatives confer with me about the merits of their grievances. As Grievance Coordinator, I advise and assist the Business Representatives about how to handle particular grievances.

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ROBBLEE DETWILER & BLACK  
ATTORNEYS at LAW

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SEATTLE, WA 98121-2392

1           3.     If a Business Representative concludes that a grievance does not have sufficient  
2 merit to warrant further action, the employee is sent a letter informing him or her about the  
3 Business Representative's decision. The employee may appeal the decision not to pursue a  
4 grievance to the office of the President.

5           4.     An appeal first goes to the Business Representative to see whether there is  
6 anything new in the information that changes the Business Representative's conclusion. The  
7 appeal then comes to me. I review the Business Representative's file, the appeal materials  
8 submitted by the employee, discuss the case with the Business Representative, and make a  
9 recommendation to the President. The President then reviews my recommendation together with  
10 the appeal materials and the grievance file and makes a final decision.  
11

12           5.     My first involvement with Crystal Howery came in my position as Grievance  
13 Coordinator. Ms. Howery had requested assistance from Richard Jackson on several issues,  
14 including: not having received a ratification bonus, not having been paid for attending an  
15 orientation session, being placed on a leave of absence related to medical restrictions,  
16 harassment, and termination. Richard had concluded that none of Ms. Howery's issues  
17 warranted a formal grievance and had sent her letters informing her of his decision. Ms. Howery  
18 appealed Richard's decision to the President Tom Wroblewski.

19           6.     Tom forwarded Ms. Howery's appeal materials to me. I obtained a copy of  
20 Richard's file and discussed the various issues with him. In connection with her appeal, I also  
21 met with Ms. Howery. She informed me that she believed that she was fired because she is a  
22 black woman. I ultimately concluded that none of Ms. Howery's complaints justified a  
23 grievance. I informed Tom of my recommendation. Tom reviewed the materials and reached  
24  
25

1 the same conclusion. Tom wrote Ms. Howery a letter informing her that he had could not find  
2 any reason to overturn Richard's decision.

3 7. I have had no prior dealings with Ms. Howery. I have no hostility, animosity, or  
4 ill-will towards her. I handled her appeal in the same way that I handle all appeals without  
5 regard to her race, gender, age, disability or any other characteristic. I am an African-American  
6 male and I take issues of discrimination very seriously. My review of Ms. Howery's appeal was  
7 done in good-faith and my conclusions were based entirely on my review of the merits of her  
8 complaints. If I thought that any of her issues presented meritorious claims under the contract, I  
9 would have recommended that the Union file a formal grievance on her behalf. The only reason  
10 that the Union did not pursue a grievance for her is because none of her issues presented  
11 meritorious grievances.  
12

13 I declare under penalty of perjury under the laws of the State of Washington that the  
14 foregoing is true and correct to the best of my knowledge and belief.

15 Signed in Seattle, Washington this 19 day of August, 2015.

16  
17   
18 Emerson Hamilton

**CERTIFICATE OF SERVICE**

I hereby certify that on August 20<sup>th</sup>, 2015, I electronically filed the foregoing  
**DECLARATION OF EMERSON HAMILTON IN SUPPORT OF MOTION FOR  
SUMMARY JUDGMENT** with the Clerk of the Court using the CM/ECF system, which will  
send notice of such filing to the following:

Crystal Howery  
584 Castro Street  
San Francisco, CA 94114  
Email: acluplaintiff@hotmail.com

s/Kristina Detwiler  
Kristina Detwiler, WSBA No. 26448  
Robblee, Detwiler & Black, P.L.L.P.  
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Attorneys for Defendant Union